

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE BIOPURE CORPORATION
SECURITIES LITIGATION**

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Master Docket No. 1:03-CV-12628 (NG)

Assigned to Judge Nancy Gertner

DEFENDANTS' MOTION FOR PROTECTIVE ORDER

Pursuant to Fed. R. Civ. P. 26(c) and Local Rule 37.1, Biopure Corporation ("Biopure"), Thomas Moore, Carl W. Rausch, J. Richard Crout, Charles A. Sanders, Howard P. Richman, and Ronald F. Richards ("Defendants") hereby respectfully move this Court for an order precluding Plaintiffs Ronald Erickson, Stuart Gottlieb, John G. Esposito, Jr., and Emily A. Bittman ("Plaintiffs") from discovery of documents produced to the Defendants by the SEC. As grounds for and in support of this motion, Defendants refer to and incorporate their Memorandum of Law, filed herewith.

WHEREFORE, Defendants request the Court to enter the above-described protective order.

May 4, 2006

Respectfully submitted,

**BIOPURE CORPORATION, THOMAS A.
MOORE, CARL W. RAUSCH, CHARLES A.
SANDERS, J. RICHARD CROUT, HOWARD
P. RICHMAN, and RONALD F. RICHARDS,**

By their attorneys,

/s/ Robert A. Buhlman

Robert A. Buhlman, BBO #554393
Donald J. Savery, BBO # 564975
Michael D. Blanchard, BBO#636860
BINGHAM McCUTCHEN LLP
150 Federal Street
Boston, MA 02110
(617) 951-8000

*Attorneys for Defendants Biopure
Corporation, Thomas A. Moore, Howard P.
Richman, Carl W. Rausch, Ronald F.
Richards, Charles A. Sanders and J. Richard
Crout*

SEYFARTH SHAW, LLP

/s/ Christopher Robertson

Christopher Robertson (BBO# 642094)
World Trade Center East
Two Seaport Lane, Suite 300
Boston, MA 02210-2028

Attorney for Defendant Ronald F. Richards

EDWARDS ANGELL PALMER & DODGE
LLP

/s/ Cathy A. Fleming

John D. Hughes (BBO# 243660)
Mary P. Cormier (BBO# 635756)
101 Federal Street
Boston, MA 02110
(617) 439-4444

Cathy A. Fleming (*pro hac vice*)
750 Lexington Avenue
New York, NY 10022
(212) 308-4411

Attorneys for Defendant Howard P. Richman

LOCAL RULE 7.1(a)(2) and 37.1 CERTIFICATION

I hereby certify that counsel for Defendants conferred with counsel for the Plaintiffs in a good faith effort to resolve or narrow the issues presented in this motion.

/s/ Donald J. Savery
Donald J. Savery

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above pleading was electronically served upon the attorneys of record for all parties on May 4, 2006.

/s/ Robert A. Buhlman
Robert A. Buhlman